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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/781,387 | 02/18/2004 | Gibong Jeong | TI-36602 | 1921 |
| 23494 7590 11/06/2009 TEXAS INSTRUMENTS INCORPORATED P O BOX 655474, M/S 3999 DALLAS, TX 75265 | | | | |
| EXAMINER TRAN, PHUC H | | | | |
| ART UNIT 2471 | | PAPER NUMBER | | |
| NOTIFICATION DATE 11/06/2009 | | DELIVERY MODE ELECTRONIC | | |

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

uspto@ti.com

Office Action Summary

Application No.

10/781,387

Applicant(s)

JEONG ET AL.

Examiner

PHUC H. TRAN

Art Unit

2471

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 June 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 19-35 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 19-28 is/are allowed.
- 6) ☒ Claim(s) 29-31, 33-36, 38 and 39 is/are rejected.
- 7) ☒ Claim(s) 32, 37 and 40 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 29-31, 33 and 35 are rejected under 35 U.S.C. 102 (b) as being anticipated by Allpress et al. (Pub. No. 20050073977).

- With respect to claims 29 and 33, Allpress discloses a wireless device comprising:

a modem (e.g. carrier 102 in fig. 3) coupled to a radio frequency (RF) circuit (306 in fig. 3), the modem containing circuitry to encode and modulate a first data stream to provide to the RF circuit for data transmission purposes (e.g. 202 and 220 in fig. 2) and demodulate and decode a first received signal from the RF circuit for data reception purposes, wherein the modem implements a first version of a technical specification for the modem data transmission and reception (e.g. the Fig. 8 shows the receiver); and a coprocessor coupled to an output of the modem and to the RF circuit (e.g. the combiner 304 which consider as the output of the modem 102 to the RF circuit; and block 302 and 303 in fig. 3), the coprocessor containing circuitry to encode and modulate a second data stream to provide to the RF circuit for data transmission purposes and demodulate and decode a second received signal from the RF circuit for data reception purposes, wherein the coprocessor implements a second version of the technical specification for the coprocessor data transmission and reception (e.g. fig. 4 shows the transmitter and Fig. 8 for receiver) and the RF circuit, wherein the RF circuit contains circuitry to

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wirelessly transmit the first and second data stream and wirelessly receive the first and second received signals (e.g. fig. 1 shows the wireless).

- With respect to claim 30, Allpress discloses wherein the second version of technical specification is a superset of the first version of the technical specification (e.g. the wideband and narrowband in Fig. 3 of CDMA).

- With respect to claim 31, Allpress discloses wherein the coprocessor implements a portion of the second version of the technical specification not included in the first version of the technical specification (e.g. the Wideband in Fig. 3)

- With respect to claim 35, Allpress teaches wherein the wireless communication system is a CDMA Release C compliant system (e.g. IS-95 in col. 1, line 10).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 34-36 and 38-39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Allpress et al. (Pub. No. 20050073977) in view of Liu (Pub. No. 20050068990).

- With respect to claim 34, Allpress discloses a wireless device comprising:

a modem (e.g. carrier 102 in fig. 3) coupled to a radio frequency (RF) circuit (306 in fig. 3), the modem containing circuitry to encode and modulate a first data stream to provide to the RF circuit for data transmission purposes (e.g. 202 and 220 in fig. 2) and demodulate and decode a first received signal from the RF circuit for data reception purposes, wherein the modem implements a first version of a technical specification for the modem data transmission and reception (e.g. the Fig. 8 shows the receiver); and a coprocessor coupled to an output of the modem and to the RF circuit (e.g. the combiner 304 which consider as the output of the modem 102 to the RF circuit; and block 302 and 303 in fig. 3), the coprocessor containing circuitry to encode and modulate a second data stream to provide to the RF circuit for data transmission purposes and demodulate and decode a second received signal from the RF circuit for data reception purposes, wherein the coprocessor implements a second version of the technical specification for the coprocessor data transmission and reception (e.g. fig. 4 shows the transmitter and Fig. 8 for receiver) and the RF circuit, wherein the RF circuit contains circuitry to wirelessly transmit the first and second data stream and wirelessly receive the first and second received signals (e.g. fig. 1 shows the wireless). Allpress fails to teach the UMTS Release 5 compliant system. Liu teaches the user equipment configured for UMTS Release 5 (paragraph 56). Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to utilize the UMTS Release 5 into Allpress's invention for communication in the wireless network.

- With respect to claim 36, Allpress teaches wherein the modem is couple to the RF circuit via a multiplexer (e.g. the combiner 304 in Fig. 3).

- With respect to claim 38, Allpress discloses wherein the second version of technical specification is a superset of the first version of the technical specification (e.g. the wideband and narrowband in Fig. 3 of CDMA).

- With respect to claim 39, Allpress discloses the second version of the technical specification not included in the first version of the technical specification (e.g. the Wideband in Fig. 3)

Response to Amendment

The following claim 34 was indicated allowable by examiner in previous office action; however, these claims are unpatentable in view of new arts. Therefore, these indicated claims are withdrawn.

5. Applicant's arguments with respect to claims 29-31 and 33-39 have been considered but are moot in view of the new ground(s) of rejection.

Allowable Subject Matter

6. Claims 19-28 are allowed.

7. Claim 32, 37 and 40 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See PTO-892.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to PHUC H. TRAN whose telephone number is (571)272-3172. The examiner can normally be reached on M-F (8-4:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, CHI PHAM can be reached on (571) 272-3179. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/PHUC H TRAN/
Primary Examiner, Art Unit 2416